IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL NO. 110 OF 2007

Ravomdra Pundlik Chaudhari. .. Appellent.

vs.

Dipti Borawake

(earlier known as Dipti R. Chaudhari) .. Respondent.

Mr. V.G. Mujumdar for Appellant.

Mr. S.N. Chandrachud for respondent.

CORAM: J.N. PATEL &,

A.A. SAYED, JJ.

DATE: 27TH JULY, 2007.

P.C.

. A praecipe filed by the learned counsel for the respondent along with copy of the gazette is taken on record and marked "X" for identification.

2. In view of the fact that the respondent has already got her surname changed and the same is accordingly notified in the gazette and that instead of using the surname "Chaudhari" now she will be using the surname "Chawadary" and has discontinued to use her earlier surname "Chaudhari", therefore, this being the

only issue raised in the appeal, nothing survives in the appeal.

3. The learned counsel for the appellant submits that the appeal may be disposed of as infructuous. The appeal stands disposed of as infructuous. No order as to costs.

4. In view of the dismissal of the appeal, the civil application does not survive. The same is also dismissed as infructuous.

(J.N. Patel, J.)

(A.A. Sayed, J.)